

### REMARKS

Claims 1-28, 31 and 32 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention.

The Examiner states that there is insufficient antecedent basis in claims 1 and 17 for the limitation "the user control."

By this amendment, claim 1 has been changed to provide proper antecedent basis, and claims 16-25 have been canceled. Accordingly, these changes should remove the rejection of claims 1-15, 26-28, 31, and 32 under 35 USC § 112, second paragraph. The rejection of claims 16-25 under 35 USC § 112 is now moot.

Claims 1, 2, 5, 29-31, 33 and 34 were rejected under 35 USC § 102(e) as being anticipated by Matsumoto et al. (U.S. Patent No. 5,796,428).

Regarding independent claims 1, 29, and 30, the Examiner states that Matsumoto et al. disclose a camera system for capturing and categorizing images of a variety of subjects (trips, weddings, etc.), where the camera comprises an image sensor; a converter stage (inherently incorporated in the system); a memory of storing plurality of categories/albums w/o titles providing classification of images; and where the system controls the input images to be assigned a category/album w/o titles (wedding, baby) to be displayed. The Examiner further states that the output signal is generated from controller correlating album/category data to the image wherein the image file data and album/category w/o title data are separately accessible for each image.

Claims 1, 2, 5, 29-31, 33 and 34 are believed to be patentable over Matsumoto et al. By this amendment, independent claims 1, 29 and 30 have been changed to more clearly set forth the present invention. As amended, claims 1 and 29 particularly point out that the electronic camera provides captured images to a computer in response to a computer initiated request, and that the electronic camera includes means responsive to the computer initiated request for transferring the image file(s) corresponding to at least one particular category of the plurality of categories to the computer. Likewise, amended claim 30 points out that the method includes using an electronic camera for providing captured images to a computer in response to a computer initiated request, and further

includes the step of transferring, in response to the computer initiated request, the image files corresponding to at least one particular category to the computer. No new matter has been added as this feature is disclosed in Applicants' specification on column 6, line 66 to column 7, line 7, and is shown in FIGS. 4 and 5.

Matsumoto et al. has been carefully reviewed, and reference to the features set forth in amended claims 1, 29, and 30 cannot be found. Specifically, Matsumoto et al. fail to disclose an electronic camera for providing captured images to a computer in response to a computer initiated request, and including means for selecting one or more categories for the images, and means responsive to the computer initiated request for transferring the image files corresponding to at least one particular category of the plurality of categories to the computer. These features provide an advantage over the prior art in that only the image files corresponding to at least one particular category are transferred to the computer in response to a request initiated by the computer.

Moreover, there is no suggestion or motivation in Matsumoto et al. to provide such features as set forth in amended claims 1, 29, and 30. Accordingly, amended claims 1, 29, and 30 are believed to be patentable and to define unobvious subject matter. Claims 2, 5, and 31 depend on amended claim 1, claim 33 depends on amended claim 29, and claim 34 depends on amended claim 30. Therefore, claims 2, 5, 31, 33, and 34 are also believed to be patentable and should be allowed along with amended claims 1, 29, and 30.

Claims 1-34 were rejected under 35 USC § 103(a) as being unpatentable over Yoshida (U.S. Patent No. 5,515,101) in view of Matsumoto et al. (U.S. Patent No. 5,796,428).

Regarding independent claims 1, 17, 29, and 30, the Examiner states that Yoshida discloses a camera system for capturing images comprising an image sensor; a converter stage for converting images into digital images (inherently disclosed, not shown in the figure); a memory means for storing a plurality of categories (titles, wedding, baby, etc.) providing classification of the images by subject; a processor means for having the capability of assigning the categories to the images captured by the image sensor, each category provide a subject classification of one or more images; and a control for selecting one or more categories for the images; and means for generating an output image signal

comprising an image file including a digital image data and category data (titles) where the one or more categories was selected by a controller. The Examiner acknowledges that Yoshida fails to specifically disclose a camera system where the category data is separately accessible for each image apart the image data. However, the Examiner asserts that such accessibility is well known in the art, as taught by Matsumoto et al.

The Examiner further states that in the same field of endeavor, Matsumoto et al. disclose a camera system where the user can selectively correlate categories w/o titles (wedding, baby, etc.) with images to be displayed on a display. The Examiner states that the image and category w/o title data are stored as correlated files in a memory and are reproduced upon control of the user. The Examiner further states that the categories w/o titles may be edited without any change to the image data correlated to the category/album w/o titles, therefore, the image data and category data are individually accessible. Thus, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the image was made to modify the camera system of Yoshida, as taught by Matsumoto et al., to add versatility to a categorizing camera system and allowing the editing to image descriptions when necessary without degrading image data or hindering a users artistic freedom in categorizing images while maintaining an automatic/efficient classification process, as taught by Matsumoto et al.

Claims 1-15 and 26-34 are believed to be patentable over the art cited by the Examiner. As previously described, independent claims 1 and 29 have been amended to include the feature that the electronic camera includes means responsive to a computer initiated request for transferring the image files corresponding to at least one particular category of the plurality of categories to a computer. Independent claim 30 has also been amended to include the step of transferring, in response to a computer initiated request, the image files corresponding to at least one particular category to a computer.

Yoshida is directed to a title generator for making a picture title in a video camera. Yoshida does not disclose or suggest an electronic camera for providing captured images to a computer in response to a computer initiated request, including the features set forth in amended claims 1, 29, and 30. In particular, Yoshida does not disclose or suggest means responsive to the computer

initiated request for transferring the image file(s) corresponding to at least one particular category of the plurality of categories to the computer. In addition, as the Examiner has acknowledged, Yoshida fails to disclose or suggest an electronic camera in which the category data is separately accessible for each image apart from the image data.

Furthermore, as previously discussed, Matsumoto et al. also fail to disclose or suggest an electronic camera includes means responsive to a computer initiated request for transferring the image file(s) corresponding to at least one particular category of the plurality of categories to the computer. Moreover, there is no motivation to combine the two references cited by the Examiner to arrive at the present invention. Even assuming that the references could be combined, the features set forth in amended claims 1, 29, and 30 would still not be disclosed or suggested. Accordingly, amended claims 1, 29, and 30 are believed to be patentable and to define unobvious subject matter.

By this amendment, dependent claims 7, 15, 27 and 28 have been changed to more clearly set forth the present invention and to particularly point out that the externally generated categories received by the signal port receives are user customized categories. This is a feature of an embodiment of the present invention which enables a user to generate a customized category externally which provides classification of the image by subject, and to provide such customized category to the computer via a signal port. This feature provides an advantage over prior art in that the electronic camera can execute user customized category definitions which provide more appropriate or more complex categorization of pictures. No new matter has been added as this feature is disclosed in Applicants' specification on column 5, lines 24-51, and column 7, lines 23-65, and is shown in FIGS. 5-8.

Amended claims 7, 15, 27 and 28 depend on amended claim 1. In addition, claims 2-6, 8-14, 31, and 32 depend on amended claim 1, claim 33 depends on amended claim 29, and claim 34 depends on amended claim 30. Since amended claims 1, 29, and 30 are believed to be patentable over the cited art, claims 2-6, 8-14, and 31-34 and amended claims 7, 15, 27 and 28 are also believed to be patentable, and should be allowed along with amended claims 1,

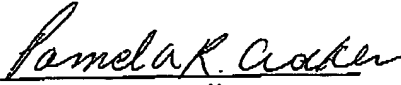
29, and 30. Claims 16-25 have been canceled, and therefore, the rejection of claims 16-25 under 35 USC § 103(a) is moot.

Further, by this amendment, new claims 35-38 have been added. New claims 35-36 depend on amended claim 1, and new claims 37-38 depend on amended claim 29. Since amended claims 1 and 29 are believed to be patentable, as discussed above, new claims 35-38 are also believed to be patentable and should be allowed along with amended claims 1 and 29.

It is believed that these changes now make the claims clear and definite and, if there are any questions or comments with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed that none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,

  
 Attorney for Applicants  
 Registration No. 42,447

Pamela R. Crocker/phw  
 Rochester, NY 14650  
 Telephone: (716) 477-0553  
 Facsimile: (716) 477-4646